

Attorney Docket No.: 2001P14495US

R E M A R K S

Claims 1 through 25 are in the application. Claims 1, 17 and 20 are hereby amended. Claims 1 and 17 have been amended to improve the readability by moving the location of the clause indicating the mobile unit is in an area serviced by a base station. Claims 1 and 17 have also been amended to indicate that the signal data is received from a source other than a base station (e.g., in some embodiments the signal data is received from a GPS source). This feature is disclosed throughout the specification as filed. Claim 20 has been amended to remove a typographical error. No new matter has been added by these amendments. Reconsideration and further examination are respectfully requested.

The Examiner has rejected claims 1-8, 14-21 and 23-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,208,871 (hereinafter, "Hall"). The Examiner has rejected claims 9-13 and 22 under 35 U.S.C. §103 as being obvious over Hall in view of U.S. Patent No. 6,430,415 (hereinafter, "Agashe"). Applicants respectfully traverse these grounds of rejection.

The Hall reference describes a time adjustment system that is primarily intended to maintain and correct the distinct "PN short code time offsets" assigned to different base stations for CDMA IS-95 in the case that accurate timing (such as timing from a GPS source) is not available to all base stations. Hall purports to achieve this by causing random mobile stations to take measurements from base stations and calculate the timing offset difference between a reference base station and at least one other base station. This timing offset difference is then transferred to the other base station where it can be used to correct the timing if the timing is in error. For example, if a mobile station measures the timing offset difference between a reference base station and another base station to be "A", and the correct value for IS-95 should be "B", the base station would correct its timing by adding or subtracting the difference (e.g., "A-B"). That is, a fundamental aspect of Hall's system is the reliance on a comparison of timing information between two base stations. This is made clear in the Hall reference, for example, in the discussion of FIG. 3. For example, at Col. 6, lines 25-37, the calculation of a "timing adjustment calculation" is discussed as being "based on the first time offset of the first signal from the first base transceiver station and the second time offset of the second signal from the

Attorney Docket No.: 2001P14495US

second base transceiver station.... then calculates a difference between the first time offset and the second time offset".

Embodiments of the present invention as recited in amended claims 1 and 17, in contrast to the system of Hall, obtain precision network timing by associating accurate timing information derived from signal data received at a mobile unit, from a source other than a base station, with base station timing information. For example, some embodiments (such as recited in independent claim 25 and other dependent claims) obtain precision network timing by comparing base station timing with GPS signal data. Further, embodiments ensure that a network has valid and accurate timing information by distributing the task of capturing GPS signal data to multiple mobile units disbursed across the network.

A system which obtains precision network timing by comparing timing information received at a mobile unit and derived from a source other than a base station with base station timing information is simply not the same as a system that performs network timing by comparing timing information from two base stations. Applicants respectfully assert that claims 1 and 17, as amended, are patentable over the Hall reference at least for this reason. Further, there is simply no teaching or suggestion in the Hall reference to modify Hall's system to obtain precision network timing by deriving timing information from a source other than a base station. Instead, Applicants respectfully assert that Hall teaches away from such a solution, specifically noting that problems may arise from "GPS outages, customer adversity to using GPS timing" etc. (Col. 2, lines 30-32). The Agashe reference cited by the Examiner fails to make up for this deficiency of Hall (nor is the reference cited for this purpose).

Claims depending from claims 1 and 17 are patentable at least as depending from a patentable base claim.

Independent claim 25 is believed patentable for a similar reason – the Hall reference fails to teach or suggest a network timing method where GPS signal data is detected at a mobile unit and used to update network timing information for a base station using derived GPS timing information and base station timing information. Instead, as discussed above, the Hall reference

Attorney Docket No.: 2001P14495US

updates timing information by comparing timing information of two base stations. Claim 25 is believed patentable over the cited references at least for this reason.

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone.

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation

Customer No. 28524

Attn: Elsa Keller, Legal Administrator
170 Wood Avenue South
Iselin, NJ 08830

Respectfully submitted,



Heather Mueller, Registration No. 39,033

Attorney for Applicant

Telephone: 650-943-7405

Date: 9/27/04